

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**JAMES ALLEN KAPPLER, JR.,  
ALICIA J. WEIR,**

## Defendants.

**8:14CR103**

## ORDER

This matter is before the court on the defendant James Allen Kappler, Jr.'s motion to continue trial [78] as counsel will be out of state and needs additional time to prepare for trial. Good cause being shown, the motion will be granted and the trial shall be continued. The defendant has complied with NECrimR 12.1(a).

**IT IS ORDERED** that the motion to continue trial [78] is granted, as follows:

1. The jury trial, **for all defendants**, now set for July 14, 2015 is continued to **September 29, 2015**

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and September 29, 2015**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED June 8, 2015.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**